

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

EON CORP. IP HOLDINGS, LLC,

v.

**VERIZON CLINTON CENTER DRIVE
CORP., et al.,**

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NO. 6:08-cv-385

**REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

Before the Court is Plaintiff EON Corp. IP Holdings, LLC's ("Plaintiff") motion for summary judgment on Defendant Verizon Clinton Center Drive Corp.'s ("Defendant") affirmative defense and counterclaim for lack of standing (Doc. No. 314). The matter is fully briefed (Doc. Nos. 314, 317, 320, 325, 335, 356). On June 30, 2010, the Court heard argument on these motions (Doc. No. 365). For the reasons stated in the Court's Report & Recommendation on Defendant's motion to dismiss for lack of standing (Doc. No. 313), the Court **RECOMMENDS** that Plaintiff's motion be **GRANTED**.

Within fourteen (14) days after receipt of the magistrate judge's report, any party may serve and file written objections to the findings and recommendations contained in the report. A party's failure to file written objections to the findings, conclusions and recommendations contained in this Report within fourteen days after being served with a copy shall bar that party from *de novo* review by the district judge of those findings, conclusions and recommendations and, except on grounds of plain error, from appellate review of unobjected-to factual findings and legal conclusions accepted and adopted by the district court. *Douglass v. United States Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996).

So ORDERED and SIGNED this 2nd day of July, 2010.



JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE